

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

REGINALD C. HOWARD,

Plaintiff,

v.

G. CARPENTER, et al.,

Defendants.

Case No. 3:20-cv-00588-ART-CSD

ORDER

This is a *pro se* civil-rights action filed under 42 U.S.C. § 1983 by a state prisoner. Plaintiff has paid the full filing fee in this matter. (ECF No. 25). On June 9, 2022, the Court screened Plaintiff's first amended complaint, allowing some claims to proceed and dismissing others with leave to amend. (ECF No. 11). Plaintiff did not file an amended complaint, and the Court entered subsequent orders staying this case for 90 days and assigning the parties to mediation by a court-appointed mediator. (ECF Nos. 12, 14). A resolution was not reached at the mediation conference. (See ECF No. 19).

IT IS THEREFORE ORDERED that:

1. The Clerk of the Court shall electronically **SERVE** copies of this order, the screening order (ECF No. 11), and Plaintiff's first amended complaint (ECF No. 8) on the Office of the Attorney General of the State of Nevada, by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.

2. Consistent with Federal Rule of Civil Procedure 4(m), service must be perfected within 90 days from the entry date of this order.

3. Subject to the findings of the screening order (ECF No. 11), within **21 days** of the entry date of this order, the Attorney General's Office will file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the

1 names of the defendants for whom it does **not** accept service, and (c) the names of the
2 defendants for whom it is filing the last-known-address information under seal. As to any
3 of the named defendants for whom the Attorney General's Office cannot accept service,
4 the Office shall file, **under seal**, but shall not serve the inmate Plaintiff the last known
5 address(es) of those defendant(s) for whom it has such information. If the last known
6 address of the defendant(s) is a post office box, the Attorney General's Office will attempt
7 to obtain and provide the last known physical address(es).

8 4. If service cannot be accepted for any of the named defendant(s), Plaintiff
9 will file a motion identifying the unserved defendant(s), requesting issuance of a
10 summons, and specifying a full name and address for the defendant(s). For the
11 defendant(s) as to which the Attorney General has not provided last-known-address
12 information, Plaintiff will provide the full name **and** address for the defendant(s).

13 5. If the Attorney General accepts service of process for any named
14 defendant(s), such defendant(s) will file and serve an answer or other response to the
15 first amended complaint within **60 days** from the entry date of this order.

16 6. Plaintiff will serve upon defendant(s) or, if an appearance has been entered
17 by counsel, upon their attorney(s), a copy of every pleading, motion, or other document
18 that Plaintiffs submits for the Court's consideration. If Plaintiff electronically files a
19 document with the Court's electronic-filing system, no certificate of service is required.
20 Fed. R. Civ. P. 5(d)(1)(B); Nev. Loc. R. IC 4-1(b); Nev. Loc. R. 5-1. However, if Plaintiff
21 mails the document to the Court, Plaintiff will include with the original document submitted
22 for filing a certificate stating the date that a true and correct copy of the document was
23 mailed to the defendants or counsel for the defendants. If counsel has entered a notice
24 of appearance, Plaintiff will direct service to the individual attorney named in the notice of
25 appearance, at the physical or electronic address stated therein. The Court may disregard
26 any document received by a district judge or magistrate judge that has not been filed with
27

1 the Clerk, and any document received by a district judge, magistrate judge, or the Clerk
2 that fails to include a certificate showing proper service when required.

3 7. This case is no longer stayed.

4
5 DATED THIS 7th day of April 2023.

6 
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28